

INTERGOVERNMENTAL AGREEMENT

BETWEEN
THE STATE OF ARIZONA
AND
THE CITY OF MESA

THIS AGREEMENT is entered into 19th May, 2003, pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the CITY OF MESA, acting by and through its MAYOR and CITY COUNCIL (the "City").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-8131, (in cooperation with cities and other jurisdictions in the planning and construction of transportation facilities), to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The City is empowered by Arizona Revised Statutes Section 48-572 and City Charter, Article I, Section 103, to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the City.

3. The City is hosting the America Moves Conference, "the Conference", to be held at the Sheraton Mesa, Mesa, Arizona, on April 3rd and 4th 2003. The Conference's goal is to forge partnerships to attack problems associated with physical inactivity. The focus will be for planning bicycle and pedestrian facilities and to encourage neighborhoods that invite physical activity. The State will participate by providing financial support toward the America Moves Conference, hereinafter referred to as the "Project".

THEREFORE, in consideration of the mutual agreements expressed herein, it is agreed as follows:

NO. 26005
Filed with the Secretary of State
Date Filed: 05/19/03

Janice K. Brewer
Secretary of State

By: Wm. D. Gruenewald

II. SCOPE OF WORK

1 The State will:

Upon execution of this agreement, prepare a payment voucher and transfer the fund's balance in the amount of \$11,232 41 to the City, for the State's contribution toward the Project

2 The City will:

a Upon completion of the Conference, provide a Project Summary document to the attention of: Carol Scherbarth, Project Manager for the Department, at the address provided in Section III 6 below.

b Return any unused funds to the State upon completion of the Project Summary

III. MISCELLANEOUS PROVISIONS

1 This agreement shall remain in force and effect until completion of said Project; provided, however, that this agreement, may be cancelled upon thirty (30) days written notice to the other party

2 This agreement shall become effective upon filing with the Secretary of State.

3 This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4 The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract

5 In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518

6 All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation
Joint Project Administration
205 South 17 Avenue, Mail Drop 616E
Phoenix, AZ 85007

City of Mesa
City Manager
Box 1466
Mesa, AZ 85211-1466

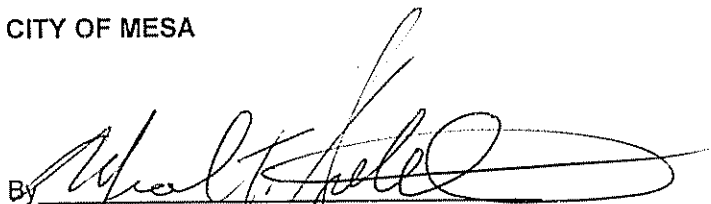
For Document Summary:

Arizona Department of Transportation
206 South 17 Avenue, Mail Drop 310B
Phoenix, AZ 85007

7. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

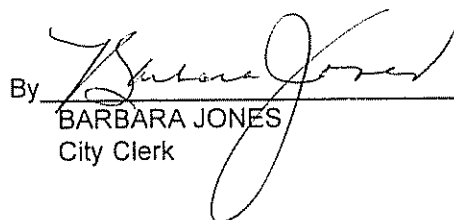
CITY OF MESA

By 
MICHAEL HUTCHINSON
City Manager

STATE OF ARIZONA
Department of Transportation

By 
DALE BUSKIRK, Acting Division Director
Transportation Planning Division

ATTEST

By 
BARBARA JONES
City Clerk



America Moves Conference

America Moves will be held April 3-4, 2003 at the Sheraton Mesa in Mesa, Arizona. The focus of this conference is to draw together a wide variety of audiences to forge partnerships in order to attack problems associated with physical inactivity. *America Moves* will target public-private alliances that focus on planning for bicycle and pedestrian facilities, create neighborhoods that invite physical activity, and "get more bikes and tennis shoes on the ground."

The Arizona Department of Transportation's conference partners include the City of Mesa, the Maricopa Association of Governments, Arizona Department of Health Services, America Cancer Society (Arizona Chapter), AARP Arizona State Office, and the Coalition of Arizona Bicyclists.

ADOT's financial support will be used as follows:

Speaker expenses	\$8,232.41
Mobile workshop expenses (including transportation)	\$3,000

TOTAL	\$11,232.41
	=====

Several nationally- and internationally-known keynote speakers have been invited: U.S. Surgeon General Dr. Robert Carmona, Dan Burden of "Walkable Communities, Inc.," physical activity expert and entertainer Martin Collis, and Mark Fenton, producer of the PBS series "America's Walking."

A total registration of 150-200 is expected. The following audiences will be targeted:

- Bicycle and pedestrian professionals
- Health promotion/disease prevention professionals and clinicians
- Recreation/exercise program coordinators
- Health insurers
- Smart Growth professionals
- Real estate developers
- Urban/city planners
- Transportation/traffic engineers
- Landscape/architects
- Senior/elder program specialists
- Bicycle manufacturers and retailers

The tentative line-up of conference tracks and sessions includes:

<u>Track/session</u>	<u>Description</u>
Schools	'Safe routes' programs, Canadian perspectives
Partnering With Governments	Dan Burden design charrette
Pedestrian Issues	Successful Designs
Bicycle Issues	Industry leaders roundtable
Health/Promotion	Health insurers, national health organization strategies
Seniors	AARP's and other successful programs
'The Canadian Model'	Canada's national physical activity program
Health professionals and developers	
Smart Growth and land use	
Mobile workshops and tours	

Several mobile workshops and related tours will be held:

“Senior simulation” activity

Neighborhood walking audit

NHTSA bicycle audit

Historic neighborhood tour

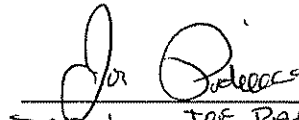
Mesa's ‘Opportunity Zone’ tour

Demonstrations of the ‘Segway’ personal mobility device

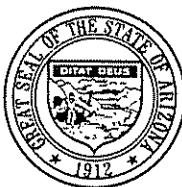
APPROVAL OF THE CITY OF MESA ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, INTERMODAL TRANSPORTATION DIVISION, and the CITY OF MESA and declare this agreement to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona. No opinion is expressed as to the authority of the State to enter into this agreement.

DATED this 4th day of MARCH, 2003



Deputy City Attorney JOE Padilla



TERRY GODDARD
ATTORNEY GENERAL

OFFICE OF THE ATTORNEY GENERAL
STATE OF ARIZONA

TRANSPORTATION SECTION
WRITER'S DIRECT NO: 602.542.8837

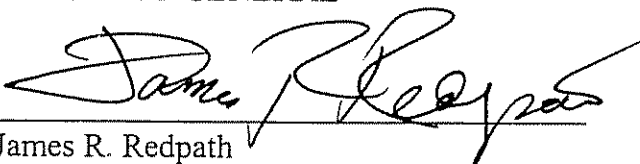
INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A.G. Contract No. KR02-0180-TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED: 30 April 2003

Terry Goddard
ATTORNEY GENERAL


James R. Redpath
Assistant Attorney General
Transportation Section

JRR:djd